

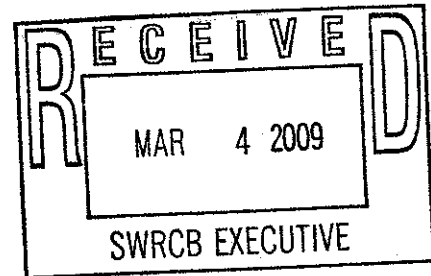
Public Comment  
CWSRF Policy - Amendment  
Deadline: 3/4/09 by 12 noon

**From:** Paul Johnston  
**To:** commentletters@waterboards.ca.gov  
**Date:** Wed, Mar 4, 2009 7:09 AM  
**Subject:** Comments on Draft Clean Water State Revolving Fund Policy Amendment

My comments on the Draft Policy Amendment to the Clean Water State Revolving Fund is attached for your consideration.

Paul

**CC:** Laura Peters



March 3, 2009

The following comments are offered for the proposed March 2009 CWSRF Policy Amendment

1. Section III. – Definitions. A definition should be provided for the newly established Disadvantaged Business Enterprise developed by EPA. This Program among other things, revises EPA's Minority Business Enterprise (MBE) and Women's Business Enterprise (WBE) programs and moves them into a newly created Disadvantaged Business Enterprise program.
2. Section IX. A. - Project Report. The Section lists information that must be submitted for CWSRF projects. Water recycling projects are being funded through the CWSRF program however some of the information listed for wastewater treatment plants are not required for water recycling projects because of the differences in the projects. For clarification, it's suggested that language be added stating water recycling projects will need to follow the criteria listed in the Water Recycling Funding Program Guidelines.
3. Section IX. G. 1. p. – Eligible Project, water conservation measures. State funds are generally made available for infrastructure, facilities and components owned and maintained by public agencies. Under the water conservation measures category in this Section, efficient landscape irrigation equipment and plumbing fixture retrofits or replacements are listed as eligible without reference to publicly owner use sites. The emphasis being placed on water conservation is recognized, however, the use of public funds, even subsidized low interest loans, for private purposes is normally not allowed unless approved by Legislation. These issues should be cleared through legal.
4. Section IX. H. – Capacity Funding Limitations. The Section addresses eligible capacity for publicly owned treatment works, collection systems, etc. The listed criteria are not consistent with the criteria used for water recycling projects in determining eligibility. For clarification, a statement should be made for water recycling projects, refer to the Water Recycling Funding Program Guidelines.
5. Section XI. B. – Approval of Award (AOA) Package. The first paragraph states recipients are required to submit an AOA Package to the Division for review and approval prior to disbursement of equipment procurement, construction, or design-build costs. The Section doesn't specify what is to be included in the package. For clarification, additional language should be added listing what is to be submitted.
6. It appears the Amendment takes out the requirement to submit plans and specifications to the Division for review and approval. The Water Recycling Funding Program has required the submittal of these documents to verify that criteria required for water recycling projects are both specified and shown on the

plans. The plans are used to cross check and identify the location of the users/sites approved for the project, identify the facilities needed to serve these users/sites, and to identify ineligible recycled water infrastructure that serves no purpose at this time. The eligibility determination for water recycling projects is not consistent with CWSRF projects for numerous reasons. To verify water-recycling requirements are being met and assist in determining eligibility, the plans and specifications should continue to be required for recycled water projects.